



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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November 2, 2015

**BY ECF and FIRST CLASS MAIL**

Honorable Laura T. Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Derrick Marcus v. City of New York, et al., 14 Civ. 3296 (LTS)

Your Honor:

I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing Defendant City of New York in the above-referenced matter. I submit this status report on behalf of all the parties.

The Bronx District Attorney's Office has not yet concluded its investigation into the conduct of the police officers in this matter. The parties anticipate that the investigation will conclude shortly. Once completed, this office can make representation decisions, gather the relevant files and documents, and otherwise proceed with this litigation in an expeditious manner.

Accordingly, the parties respectfully request that the pending stay be continued until December 18, 2015, at which point the parties will submit a further status letter regarding the outcome of the investigation.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Matthew J. Modaffer  
*Senior Counsel*  
Special Federal Litigation Division

cc: Gabriel Harvis, Esq. (By ECF)